

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Debatin *et al.* Filed via EFS Web  
**May 6, 2008**  
Title: SMAC-PEPTIDES AS THERAPEUTICS AGAINST  
CANCER AND AUTOIMMUNE DISEASES  
Appl. No.: 10/511,037  
§371 Date: January 19, 2005  
I.A. Filing Date: April 17, 2003  
Examiner: Hong Sang  
Art Unit: 1643  
Confirmation No.: 6277

**AMENDMENT TRANSMITTAL**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment in response to the Notice of Non-Compliant  
Amendment mailed April 29, 2008, in the above-identified application.

[ ] Small Entity status under 37 C.F.R. § 1.9 and § 1.27 has  
been established by a previous assertion of Small Entity status.

[ ] Assertion of Small Entity status is enclosed.

[ X ] The fee required for additional claims is calculated below:

|               | Claims<br>As Amended | Previously<br>Paid For | Extra<br>Claims | Rate  | Additional<br>Claims Fee |
|---------------|----------------------|------------------------|-----------------|---|--------------------------|
| Total Claims: | 17                   | -                      | 22              | = 0 x \$50.00 =   | \$0.00                   |
| Independent:  | 2                    | -                      | 2               | = 0 x \$210.00 =  | \$0.00                   |
|               |                      |                        |                 | First presentation of any Multiple Dependent Claims: + \$360.00 = | \$0.00                   |
|               |                      |                        |                 | CLAIMS FEE TOTAL =  | \$0.00                   |

[ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

|   |                                 |        |
|---|---------------------------------|--------|
| [ ] Extension for response filed within the first month:      | \$120.00                        | \$0.00 |
| [ ] Extension for response filed within the second month:     | \$460.00                        | \$0.00 |
| [ ] Extension for response filed within the third month:      | \$1,050.00                      | \$0.00 |
| [ ] Extension for response filed within the fourth month:     | \$1,640.00                      | \$0.00 |
| [ ] Extension for response filed within the fifth month:      | \$2,230.00                      | \$0.00 |
|   | EXTENSION FEE TOTAL             | \$0.00 |
|   | CLAIMS AND EXTENSION FEE TOTAL: | \$0.00 |
| [ ] Small Entity Fees Apply (subtract ½ of above):            |                                 | \$0.00 |
| [ ] Suspension of action requested under 37 C.F.R. § 1.103(c) |                                 | \$0.00 |
|   | TOTAL FEE:                      | \$0.00 |

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date May 6, 2008

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Customer Number: 22428  
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By Michele M. Simkin Reg # 54,161  
Michele M. Simkin  
Attorney for Applicant  
Registration No. 34,717

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AGAINST CANCER AND AUTOIMMUNE  
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**AMENDMENT UNDER 37 CFR § 1.111**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is responsive to the Notice of Non-Compliant Amendment mailed April 29, 2008, concerning the above-referenced patent application. This response is considered timely filed prior to May 29, 2008.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this document.

**Remarks/Arguments** begin on page 6 of this document.

Please amend the application as follows.